

REMARKS

This communication is in response to the Office Action dated May 29, 2008 in which claims 1-20 were pending and were rejected. Claims 2, 5, 11, and 20 have been canceled. Claims 21-24 have been added. Claims 1, 3, 4, 6-10, 12-19, and 21-24 are pending.

Claim Rejections – 35 U.S.C. § 103

Claims 1-2, 6-12, and 15-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rottmayer et al. (U.S. Pat. Publ. 2003/0198146 – hereinafter “Rottmayer”) in view of Matsushima et al. (U.S. Pat. No. 6,937,799 – hereinafter “Matsushima”). Claims 3-5 and 13-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rottmayer in view of Matsushima and further in view of Dawes et al. (U.S. Pat. No. 6,744,951). Applicants respectfully traverse all of the rejections under 35 U.S.C. § 103. A prima facie case of obviousness has not been established.

Specifically, Rottmayer, Matsushima, and Dawes, either alone or in combination, fail to disclose or teach “wherein the second waveguide is adjacent to the first waveguide such that the space between the first waveguide and the second waveguide is not aligned with the propagated radiant energy from the source”, as in Claim 1 and similarly in Claims 12 and 18. Instead, the first waveguide and the second waveguide disclosed in Matsushima, as referenced by the Examiner, do not have a space between them that is not aligned with the propagated radiant energy (the light beam). See Matsushima, Figures 1-3, 5, and 7.

Therefore, independent Claims 1, 12, and 18 are allowable over the cited art. Further, Claims 3, 4, 6-10, 13-17, 19, and 21-24 depend from one of Claim 1, 12, or 18 and are at least allowable as dependent claims depending from an allowable independent claim. For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of all § 103 rejections.

Conclusion

In view of the foregoing, Applicants submit that the present application is in condition for allowance. Reconsideration and allowance of the application is requested. If the Office is unable to allow the Application on the next Office Action and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

In view of the foregoing, Applicants submit that the present application is in condition for allowance. Reconsideration and allowance of the application is requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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